

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



REGION II
290 BROADWAY
NEW YORK, NEW YORK 10007-1866

Michael A. Mintzer
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December 9, 2002

EXPRESS MAIL-RETURN RECEIPT REQUESTED

Mr. John T. Sweeney
c/o Anthony D. Pistone, Esq.
163-10 Northern Boulevard (Suite 205)
Flushing, NY 11358

Re: Nelson Galvanizing Facility, 11-02 Broadway, Queens County, New York

Dear Mr. Sweeney:

Enclosed you will find Administrative Subpoena, Index No. CERCLA-SUB-02-2003-2004 ("Subpoena"), signed for the Regional Administrator of Region 2 of the United States Environmental Protection Agency ("EPA") requiring that you appear in person to testify at the offices of the Environmental Protection Agency at 290 Broadway, New York, NY on **Wednesday, January 8, 2003 at 11:00 A.M.** and also requiring that, at such time, you produce those items enumerated in the Subpoena.

As you know, in the Spring of 2000, EPA performed an environmental cleanup action at the Nelson Galvanizing facility at 11-02 Broadway in Queens County, New York (the "Nelson Galvanizing Facility") under the authority of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. §9601, et seq. ("CERCLA"). By letter dated February 1, 2000, EPA notified you individually, Nelson Galvanizing, Inc. and Nelson Foundry, Inc. that it considered each of you to be a potentially responsible party under Section 107(a) of CERCLA, 42 U.S.C. §9607(a) with respect to that environmental response action. By that letter, EPA also sought information from each recipient under the authority of CERCLA Section 104(e), 42 U.S.C. §9604(e). At the request of Anthony Pistone, your counsel, EPA twice sent you additional copies of its February 1, 2000 letter and, despite assurances to EPA from your counsel that you would respond to the questions in the letter, you have failed to do so.

Pursuant to the enclosed Administrative Subpoena, EPA is now requiring that you appear at EPA's New York office at 290 Broadway, New York, NY to answer certain questions and to produce the specified documents. These questions and the required documents concern, among other things, your personal financial ability, and the financial ability of Nelson Galvanizing, Inc. and/or Nelson Foundry, Inc. to pay, in whole or in part, for the response costs incurred by EPA in performing the response action at the Nelson Galvanizing facility.

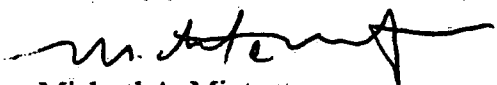
If you have any questions concerning your obligations pursuant to this subpoena, you may

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contact me, or arrange for your counsel to contact me, at 212-637-3168.

Sincerely yours,



Michael A. Mintzer
Assistant Regional Counsel
Office of Regional Counsel

Enclosure

Copy to: John T. Sweeney
1634 Belmont Ave.
New Hyde Park, NY 11040